

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85524 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Shashi Prabha Kumari D/o Shiv Kumar Ram R/o Village - Kalwariya, P.O. and P.S. - Durgawati, Kaimur, Bhabhua, Bihar, 821105.
2. Reshma Devi @ Reshmi W/o Shiv Kumar Ram R/o Village - Kalwariya, P.O. and P.S. - Durgawati, Kaimur, Bhabhua, Bihar, 821105.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sheo Kumar Ram Son of Late Jokhan Ram R/o Village - Kalwariya, P.S. - Durgawati, Dist. - Kaimur at Bhabhua.
3. Shashi Bhushan Ram S/o Sheo Kumar Ram R/o Village kalwariya P.S. Durgawati Dist Kaimur at Bhabhua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madan Mohan, Adv. Mrs. Pallavi Pandey, Adv.
For the Opposite Party/s	:	Mr. Tribhuwan Narayan, Adv.
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-02-2026 Heard Mrs. Pallavi Pandey, learned counsel for the petitioner and Mr. Tribhuwan Narayan for the opposite party besides Mr. Bharat Bhushan for the State.

2. The present application has been preferred seeking cancellation of Anticipatory Bail granted to the Opposite Parties No. 2 and 3 in connection with Durgawati P.S Case No. 56 of 2024 registered u/s 341, 323, 307, 506, 509 read with Section 34 of the IPC whereby this Hon'ble Court vide order dated 24.07.2024 passed in Criminal Miscellaneous No. 45939 of 2024 had granted the privilege of anticipatory bail to the Opposite Parties No. 2 and



3 subject to an undertaking given by the Ld. Counsel for the accused persons that an amount of Rs. 25,000/- shall be paid to the informant and her mother through bank draft, which the Petitioners have not received till date.

3. As per the prosecution story, the informant who is daughter of petitioner no.1 and sister of petitioner no.2 has alleged that both came and asked her mother to compromise the case which is pending against them and when she refused, was assaulted. As she came forward to protect her mother, she was also thrashed by both father and son. The lady was shifted to Primary Health Center, Durgawati and considering her condition to Trauma Center, Varanasi. This followed the FIR.

4. The unfortunate part of the present case is/are that the opposite parties are husband and son of the petitioner no. 2, Reshma Devi @ Reshmi while petitioner no. 1 is the daughter and sister respectively of the two opposite parties.

5. Considering the situation where the family members are involved in the present case, despite taking note of the fact that the injury led to the ladies being shifted to Primary Health Centre, Durgawati and then to Trauma Center, Varanasi, on the undertaking given by the petitioners that till the breaking of the ice, they shall not have any contact with the two ladies and shall never trespass their residence and further as a token of respect,



shall be paying Rs. 25,000/- each, relief was granted on 24.07.2024 in Cr. Misc. No. 45939 of 2024 (Sheo Kumar Ram & Anr. vs. State of Bihar).

6. The present cancellation petition has been filed by the two ladies through the Patna High Court Legal Services Committee (henceforth for short 'the Committee') alleging that both the father and son (opposite parties herein) are continuing with their threatening attitude and are also sending other persons to threaten/trespass the residence at Kaimur. It is to be noted that the opposite parties reside at Supaul while the petitioners herein (the ladies) are residing at Kaimur.

7. Notice was issued to the opposite parties and Mr. Tribhuwan Narayan represent them. He has filed a counter affidavit which shows that though belatedly, the payments were made to the ladies. In paragraph 16, it has been recorded that the opposite parties never threatened to the petitioners and the allegation is false. As recorded above, an unfortunate situation is there, on the one hand, the father and son are accused and on the other hand, the mother and daughter are at the receiving end.

8. Mr. Madan Mohan has provided photocopies to show the assault that took place.

9. This Court, on the earlier occasion, expected the families to come to terms and join their hands, it seems that they



have moved separately and there is point of no return.

10. Learned counsel for the petitioner submits that it has become impossible for the ladies to live due to continuous threatening posture of the opposite parties.

11. Mr. Tribhuwan Narayan submits that after the order passed, they have disassociated themselves from the ladies and once again, an undertaking has been given that neither the father-son nor anyone related to them shall in any way have any truck with the two ladies, namely, Shashi Prabha Kumari and Reshma Devi @ Reshmi. He further submits that everyone uses mobiles and in case, either of the two opposite parties try to contact or take any step through any other person, it will be recorded in the CDR and in that case, the Court will be free to take action if after the undertaking, any further allegation comes.

12. In that background, this Court refrains from canceling the bail earlier granted to the two opposite parties cautioning them not to have any truck with the two ladies (petitioners herein).

13. Cr. Misc. No. 85524 of 2025 is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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